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REMARKS

Applicant thanks the Examiner for the detailed remarks and analysis. Claims 1-11 remain pending, claims 12-21 have been cancelled and claims 22-29 added.

Claims 1-3, 6 and 9-11 were rejected as anticipated by Ries (U.S. 4,468,981). Claim 1 requires a cavity for communicating lubricant from a sump within the axle housing to the pump. Reis discloses a plurality pressure lines for communicating lubricant to a pump not a cavity disposed with a pump housing between a sump and a pump. Accordingly, Reis cannot anticipate claim 1.

Further claim 11 has been amended to require that the bearing gage is supported entirely within the pump housing independent of an axle housing. Ries discloses bearings (38,39) that are not within a pump housing but instead are one part of a stack of many elements that are bolted onto an axle housing. Further, a portion of the Ries bearings (38,29) is supported on and within the axle housing as is shown in Figure 5, and therefore cannot meet the limitations of claim 11.

Claims 1-6 and 9-11 were rejected as anticipated by Aikawa et al. (U.S. 6,770,005). Aikawa et al. does not disclose any cover including a cavity for communicating lubricant to the pump and therefore does not anticipate claim 1. Further, claim 4 requires that the input shaft include a lubricant passageway. Aikawa et al. discloses a gear pump (93) driven by a shaft (39) disposed entirely within the axle housing (Col 13, lines 38-44). An axle with both ends disposed within the housing (as the shaft 39 of Aikawa et al. is) cannot provide input, but instead must be driven by some shaft that does extend from the axle housing and therefore is not an input shaft. Further, the claims require that the input shaft be supported by a pump housing that covers an

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opening of the axle housing. Aikawa et al. cannot meet any of these limitations and therefore cannot anticipate the claims.

Claims 1 and 7 were rejected as being anticipated by Jespersen (U.S. 3,688,858). Jespersen does not disclose the limitations of claim 1 as discussed above as no cavity defining a passage between a sump and a pump is disclosed. Accordingly, Jespersen cannot anticipate claims 1 and 7.

Claims 1-3, 6-9 and 11 were rejected as being anticipated by Shiba et al. (U.S. 5,311,740). Shiba does not disclose any cavities or passages within a pump housing. Shiba et al. merely discloses an axle housing (1) with two parts that define a hollow interior within which a several pumps and a hydraulic drive motor are mounted. The Examiner is reading one of the axle housing parts as the claimed pump housing and the pump P2 as the claimed pump. The Shiba et al. housing does not include any cavity for communicating lubricant from a sump within an axle housing to the pump and therefore cannot anticipate claim 1. For at least this reason, Shiba et al. does not anticipate claim 1.

Claim 6 requires a bearing supporting rotation of the input shaft mounted within the pump housing. As read by the Examiner, the housing within which the pump P2 is located does not support a bearing for an input shaft. Further, claim 11 requires a bearing cage supported entirely within the pump housing, independent of the axle housing. Shiba et al. does not disclose or suggestion these features.

Applicant has included new dependent claims 22 and 23 that depend from claim 1. Claim 22 requires that the bearing cage be disposed within the pump housing and spaced an axial distance from axle housing. Claim 23 requires a pinion shaft disposed within said axle housing that is

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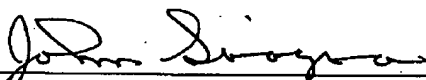
driven by the input shaft. These additional features are not disclosed or suggested by the cited prior art.

Further new independent claim 24 requires a bearing member supported within the pump housing separate from the axle housing for supporting rotation of the input shaft. Claims 25-29 depend from claim 24 and include additional features not disclosed or suggested by the cited prior art.

Accordingly, the claims are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

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